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09/460,951	12/14/1999	CARLINO PANZERA	173P023	3152
28264	7590	07/21/2009		
BOND, SCHOENECK & KING, PLLC			EXAMINER	
ONE LINCOLN CENTER			HOFFMANN, JOHN M	
SYRACUSE, NY 13202-1355				
			ART UNIT	PAPER NUMBER
			1791	
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07/21/2009	ELECTRONIC			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: CARLINO PANZERA and LISA M. KAISER

Application No. 09/460,951
Technology Center: 1700

Mailed: July 21, 2009

Before GLORIA HENDERSON, *Review Team Paralegal*
HENDERSON, *Review Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 20, 2009. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

AMENDED APPEAL BRIEF

An Amended Appeal Brief was filed on February 5, 2009, in response to an "Order Returning Undocketed Appeal to Examiner" filed March 14, 2006. However, there is no indication on the record that the Examiner considered the Amended Appeal Brief filed February 5, 2009.

CONCLUSION

Accordingly, it is ORDERED that the application is being electronically returned to the Examiner:

- 1) for consideration and proper response of the Amended Appeal Brief filed February 5, 2009; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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